

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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MOOG INC.,

Plaintiff,

v.

Case No.: \_\_\_\_\_

SKYRYSE, INC., ROBERT ALIN  
PILKINGTON, MISOOK KIM, and DOES NOS.  
1-50,

Defendants.

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**DECLARATION OF ROBERT J. FLUSKEY, JR.**

Robert J. Fluskey, Jr., under penalty of perjury and pursuant to 28 U.S.C. § 1746,  
declares the following to be true and correct:

1. I am an attorney with Hodgson Russ LLP, counsel to Plaintiff Moog Inc. (“Moog”). As such, I am familiar with this matter and the facts set forth herein.
2. Moog moves simultaneously for: (a) a temporary restraining order (“TRO”) and preliminary injunction under Federal Rule of Civil Procedure 65 and Local Rule 65 (the “TRO Motion”); and (b) an expedited hearing on the TRO Motion under Local Rule 7(d)(1) (the “Expedited Hearing Motion”). I make this declaration in support of Moog’s Expedited Hearing Motion.
3. For a full recitation of the pertinent facts and issues, I respectfully refer the Court to, and hereby incorporate, Moog’s Complaint and the papers filed in support of the TRO Motion.

4. Moog seeks to expedite the hearing for a temporary restraining order and preliminary injunctive relief due to the imminent and irreparable harm it will suffer if Defendants are not immediately enjoined from misappropriating Moog's proprietary, confidential, and trade secret software and related data.

5. Moog filed this lawsuit because Defendants Skyrise, Inc. ("Skyrise"), Pilkington, and Kim (collectively "Defendants") misappropriated Moog's trade secret information and, on information and belief, are using that information to their competitive and personal advantage.

6. As set forth in full in the TRO Motion, Moog will suffer irreparable harm if Defendants are not immediately enjoined from using and disclosing this confidential and proprietary information without Moog's consent.

7. The requested relief is necessary because Defendants' misappropriation imperils Moog's business, reputation, customer relationships, and goodwill, and raises significant security concerns.

8. For the foregoing reasons, Moog respectfully requests that the Court grant its Expedited Hearing Motion.

Dated: March 7, 2022

s/Robert Fluskey  
Robert J. Fluskey, Jr.